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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/878,050	06/08/2001	Peter C. Boylan III	UV-197	1639

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EXAMINER

PAIK, STEVE S

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 11/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/878,050

Applicant(s)

BOYLAN ET AL.

Ch

Examiner

Steven S. Paik

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-306 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-306 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 140 is objected to because of the following informalities: The recited limitation, "the docking station", in line 1 on page 56 appears lacking the antecedent basis. It is respectfully suggested amending it to -- a docking station --. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 10 and 11 recite the limitation "the wired means" in line 1. There is insufficient antecedent basis for this limitation in the claim. The claim 8, which claims 10 and 11 dependant upon, does not include the limitation of "the wired means". Therefore, claims 10 and 11 lack antecedent basis for this limitation in the claim. The examiner respectfully suggests amending the dependency of the claims 10 and 11 from 8 to 9.

4. Claim 80 recites the limitation "the docking station" in line 3. There is insufficient antecedent basis for this limitation in the claim. The independent claim 79 does not include the limitation of "the docking station". Therefore, claim 80 lacks antecedent basis for this limitation in the claim. The examiner respectfully suggests amending the limitation to -- a docking station --.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2876

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-4, 6, 9, 10, 12, 16-24, 31-35, 37, 40, 41, 53-57, 59, 62, 63, 66-71, 74, 78-82, 84, 87, 88, 90, 91, 103-107, 109, 112, 113, 115-121, 123, 154-157, 159, 162, 163, 165, 169-177, 184-187, 207-210, 212, 215, 216, 225-228, 232-235, 237, 240, 241, 243, 253, 256, 257-260, 262, 265, 266 and 276 are rejected under 35 U.S.C. 102(b) as being anticipated by Nelson (USP 5,939,695).

Re claims 1, 12, 16-23, 31, 32, 34, 53, 54, 56, 66, 68-71, 74, 78, 79, 81, 90, 91, 103, 104, 106, 115-121 and 123, Nelson discloses a system (Fig. 4) and method for using a portable scanning device (Personal Communication System PCS 3 is equipped with a controller that based on the so-called "personal computer" architecture (col. 1, lines 66-67). This type of a controller inherently comprises a time keeping function which also has an alarm clock function to remind an appointment or to-do list and a function of transmitting and receiving an electronic mail message and/or an instant message) for acquiring information associated with codes (col. 2, lines 33-35) comprising:

Art Unit: 2876

scanning a code (UPC, Universal Product Code) using a portable device (any one of 3 shown in Fig. 1A) wherein the portable device comprises code scanning equipment (a bar-code reader 12) and an output device (display 6);

acquiring information associated with the scanned code (col. 2, lines 33-35);

displaying (col. 2, lines 35-45) the acquired information (the acquired information may be associated with sales event of a product, good or service) on the output device (6); and

performing an action related to a product, good, or service (the action initiated by a user may be ordering a particular product or saving information associated with the code, col. 6, lines 25-27) associated with the scanned code (col. 5, lines 27-59).

Regarding claim 2, Nelson discloses the system (Fig. 4) and method as recited in rejected claim 1 stated above, wherein the acquiring information associated with the scanned code comprises acquiring information from a remote site (col. 3, lines 5-7).

Regarding claims 3, 24, 33, 55, 67, 80 and 105, Nelson discloses the system (Fig. 4) and method as recited in rejected claims stated above, wherein the acquiring information associated with the scanned code comprises acquiring information from a docking station (75 and col. 3, lines 28-37).

Regarding claims 4, 35, 57, 82 and 107, Nelson discloses the system (Fig. 4) and method as recited in rejected claims stated above, wherein the information is acquired via a wireless path (col. 3, lines 6-27).

Regarding claims 6, 37, 59, 84 and 109, Nelson discloses the system (Fig. 4) and method as recited in rejected claims stated above, wherein the wireless path is a radio frequency path (rf network col. 3, line 15 and col. 3, lines 14-19 discloses that another type of wireless

Art Unit: 2876

communication link may be equipped with the system. Another type of wireless communication link includes all of the recited types of wireless communication protocols).

Regarding claims 9, 10, 40, 41, 62, 63, 87, 88, 112 and 113, Nelson discloses the system (Fig. 4) and method as recited in rejected claim 1 stated above, wherein the information is acquired via wired means (Fig. 4 and col. 3, line 18).

Re claims 154, 165, 169-176, 184, 185, 187, 207, 209, 225-228, 232, 234, 243, 253, 257, 259 and 268-273, Nelson discloses a system (Fig. 4) and method for using a portable scanning device (Personal Communication System PCS 3 is equipped with a controller that based on the so-called "personal computer" architecture (col. 1, lines 66-67). This type of a controller inherently comprises a time keeping function which also has an alarm clock function to remind an appointment or to-do list and a function of transmitting and receiving an electronic mail message and/or an instant message) for allowing a user to acquire information associated with codes (col. 2, lines 33-35), the system configured to:

scan a code (UPC, Universal Product Code from a printed material) using a portable device (any one of 3 shown in Fig. 1A) wherein the portable device comprises code scanning equipment (a bar-code reader 12) and an output device (display 6);

acquire information associated with the scanned code (col. 2, lines 33-35);

display (col. 2, lines 35-45) the acquired information (the acquired information may be associated with sales event of a product, good, or service) on the output device (6); and

perform an action (the action initiated by a user initiated by a user may be ordering a particular product or saving information associated with the code, col. 6, lines 26-27) associated with the scanned code (col. 5, lines 27-59).

Regarding claim 155, Nelson discloses the system (Fig. 4) and method as recited in rejected claim 154 stated above, wherein the portable scanning device (3) is further configured to acquire information from a remote site (col. 3, lines 5-7).

Regarding claims 156, 177, 186, 208, 231, 233, 256, 258 and 276, Nelson discloses the system (Fig. 4) and method as recited in rejected claims stated above, wherein the portable scanning device (3) is further configured to acquire information from a docking station (75, col. 3, lines 28-37).

Regarding claims 157, 210, 235 and 260, Nelson discloses the system (Fig. 4) and method as recited in rejected claims stated above, wherein the portable scanning device (3) is further configured to acquire information via a wireless path (col. 3, lines 6-27).

Regarding claims 159, 212, 237 and 262, Nelson discloses the system (Fig. 4) and method as recited in rejected claims stated above, wherein the wireless path is a radio frequency path (rf network col. 3, line 15 and col. 3, lines 14-19 discloses that another type of wireless communication link may be equipped with the system. Another type of wireless communication link includes all of the recited types of wireless communication protocols).

Regarding claims 162, 163, 215, 216, 240, 241, 265 and 266, Nelson discloses the system (Fig. 4) and method as recited in rejected claims stated above, wherein the portable scanning device (3) is further configured to acquire the information via wired means (Fig. 4 and col. 3, line 18).

7. Claims 79, 98, 139, 141, 142, 150-152, 257, 268-273, 292, 294, 295 and 300, 301 and 303-305 are rejected under 35 U.S.C. 102(e) as being anticipated by Cameron et al. (USP 6,202,062).

Art Unit: 2876

Regarding claims 79, 98, 139, 150-152, 257, 268-273, 292, 300, 301 and 303-305, Cameron et al. discloses a method for using a portable scanning device for acquiring information associated with codes comprising:

scanning a code (2810) using a portable device (2800 in Fig. 28) wherein the portable device comprises code scanning equipment (col. 57, lines 35-36);

acquiring information associated with the scanned code (col. 57, line 37); and
presenting the information to the user in a language determined by the user (col. 57, lines 37-38).

Regarding claims 141 and 294, Cameron et al. discloses the method as recited in rejected claims stated above, further comprising presenting the acquired information to a user at the portable device (2800) via an output device (PDA is inherently comprises a color or monochrome display device) at the portable device.

Regarding claims 142 and 295, Cameron et al. discloses the method as recited in rejected claims stated above, where the information is acquired via a wireless path (col. 37, line 7).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2876

9. Claims 5, 7, 8, 36, 38, 39, 58, 60, 61, 83, 85, 86, 92-97, 108, 110, 111, 158, 160, 161, 211, 213, 214, 236, 238, 239, 244-252, 261, 263 and 264 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson (USP 5,939,695) in view of Ruppert et al. (USP 5,640,02).

The teachings of Nelson have been discussed above. Nelson discloses all of the features of the claimed invention with the exception of specifically disclosing a particular type of a wireless path and practical application of a portable personal scanner (Fig. 1).

Ruppert et al. disclose another type of wireless communication links used in data communication. Some information on infrared and radio wireless data transmission is publicly available through the IEEE 802.11 Wireless Networking Work Group. Furthermore, he teaches that the particular data communication interface and port are not critical to the invention, and selection of what type port to use depends upon the desired mode of operation for the device (col. 9, lines 50-55). He further discloses steps of building and modifying a shopping list using a scanner reading coded information on a product or good with the capability of alerting a price of a product (col. 7, lines 41-50).

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated any one of available data communication protocols and a personal scanner using the protocols to generate and modify a list as taught by Ruppert et al. into the teachings of Nelson for the purpose of allowing design flexibility and maximizing the efficiency of acquiring information process since it is an obvious matter of design choice well within the art and providing more options and assistance to the user when shopping.

Art Unit: 2876

10. Claims 11, 42, 64, 89, 114, 164, 217, 242 and 267 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson (USP 5,939,695) in view of Allport (USP 6,097,441).

The teachings of Nelson have been discussed above. Nelson discloses all of the features of the claimed invention with the exception of specifically disclosing a particular type of a wired path.

Allport discloses a wired communication link using Firewire 1394 protocol wired communication between a hand-held remote control and a base station (col. 19, lines 12-15, claim 35). A Firewire is one of many available wired data communication protocol that may be selected by network designer in accordance with specifications and cost of building a network.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated any one of available wired data communication protocols as taught by Allport into the teachings of Nelson for the purpose of allowing design flexibility and maximizing the efficiency of acquiring information process since it is an obvious matter of design choice well within the art.

11. Claims 13-15, 25, 26, 43-45, 65, 124-127, 129, 132, 133, 135-138, 166-168, 178, 179, 188, 190, 193, 194, 196-202, 206, 218-224, 277-280, 282, 285, 286 and 288-291, are rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson (USP 5,939,695) in view of Ueda et al. (USP 4,866,258).

Re claims 13-15, 25, 26, 43-45, 65, 124, 136, 137, 166-168, 178, 179, 196-202, 218-224, 277 and 290, the teachings of Nelson have been discussed above. Nelson discloses all of the features of the claimed invention including hand-held scanning device (Personal Communication System PCS 3 is equipped with a controller that based on the so-called "personal computer"

Art Unit: 2876

architecture (col. 1, lines 66-67). This type of a controller inherently comprises a time keeping function which also has an alarm clock function to remind an appointment or to-do list and a function of transmitting and receiving an electronic mail message and/or an instant message) and a docking station and available choices of data communications protocols. However, he does not specifically disclose an action comprising scheduling the recording of televised programs.

Ueda discloses a barcode system for recognizing the data for reservation of a TV program in the video tape recording program system (equipment) and various other patterns (col. 1, lines 15-27). Almost all of the video tape recording system is equipped with a clock and timer which can remind the time and day of the week. The video tape recording system also further equipped display in a plurality of different languages such as English, Spanish and French. This function of recognizing the data for reservation of a TV program is one of a few disclosed examples of a barcode system that allows a user to be able to record a desired TV program with minimum chance of recording other TV programs than the desired one.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated the barcode reading system for recognizing the data for reservation of a TV program in the video tape recording program as taught by Ueda for the purpose of simplifying a tedious and time consuming selection and recording of a TV program or series.

Regarding claims 125, 206 and 278, Nelson in view of Ueda discloses the system (Fig. 4) and method as recited in rejected claims stated above, wherein the acquiring information associated with the scanned code comprises acquiring information from a docking station (75

Art Unit: 2876

and col. 3, lines 28-37 which allows a different PCS to communicate with the base system see Fig. 4).

Regarding claims 126 and 279, Nelson in view of Ueda discloses the system (Fig. 4) and method as recited in rejected claims stated above, comprising presenting the acquired information to a user at the portable device (3) via an output device (6) at the portable device.

Regarding claims 127, 188 and 280, Nelson in view of Ueda discloses the system (Fig. 4) and method as recited in rejected claims stated above, wherein the information is acquired via a wireless path (col. 3, lines 6-27).

Regarding claims 129, 190 and 282, Nelson in view of Ueda discloses the system (Fig. 4) and method as recited in rejected claims stated above, wherein the wireless path is a radio frequency path (rf network col. 3, line 15 and col. 3, lines 14-19 discloses that another type of wireless communication link may be equipped with the system. Another type of wireless communication link includes all of the recited types of wireless communication protocols).

Regarding claims 132, 133, 193, 194, 285 and 286, Nelson in view of Ueda discloses the system (Fig. 4) and method as recited in rejected claims stated above, wherein the information is acquired via wired means (Fig. 4 and col. 3, line 18).

Regarding claims 135, 138, 288, 289 and 291, Nelson in view of Ueda discloses the system (Fig. 4) and method as recited in rejected claims stated above, further comprising a specific user of the equipment or facility based on which portable device was used to scan the code (Fig. 1A discloses a plurality of PCS' and the transactions or scanned results can be identified separately.)

Art Unit: 2876

12. Claims 128, 130, 131, 189, 191, 192, 281, 283 and 284 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson (USP 5,939,695) as modified by Ueda et al. (USP 4,866,258) as applied to claims stated above, and further in view of Ruppert et al. (USP 5,640,02).

The teachings of Nelson in view of Ueda have been discussed above. Nelson in view of Ueda discloses all of the features of the claimed invention with the exception of specifically disclosing a particular type of a wireless path and practical application of a portable personal scanner (Fig. 1).

Ruppert et al. disclose another type of wireless communication links used in data communication. Some information on infrared and radio wireless data transmission is publicly available through the IEEE 802.11 Wireless Networking Work Group. Furthermore, he teaches that the particular data communication interface and port are not critical to the invention, and selection of what type port to use depends upon the desired mode of operation for the device (col. 9, lines 50-55). He further discloses steps of building and modifying a shopping list using a scanner reading coded information on a product or good with the capability of alerting a price of a product (col. 7, lines 41-50).

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated any one of available data communication protocols and a personal scanner using the protocols to generate and modify a list as taught by Ruppert et al. into the teachings of Nelson for the purpose of allowing design flexibility and maximizing the efficiency of acquiring information process since it is an obvious matter of

Art Unit: 2876

design choice well within the art and providing more options and assistance to the user when shopping.

13. Claims 134, 195 and 287 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson (USP 5,939,695) as modified by Ueda et al. (USP 4,866,258) as applied to rejected claims stated above, and further in view of Allport. (USP 6,097,441).

The teachings of Nelson in view of Ueda have been discussed above. Nelson in view of Ueda discloses all of the features of the claimed invention with the exception of specifically disclosing a particular type of a wired path.

Allport discloses a wired communication link using Firewire 1394 protocol wired communication between a hand-held remote control and a base station (col. 19, lines 12-15, claim 35). A Firewire is one of many available wired data communication protocol which may be selected by network designer in accordance with specifications and cost of building a network.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated any one of available wired data communication protocols as taught by Allport into the teachings of Nelson for the purpose of allowing design flexibility and maximizing the efficiency of acquiring information process since it is an obvious matter of design choice well within the art.

14. Claims 27-30, 46-52, 72, 73, 75-77, 99-102, 122, 180-183 and 203-205, 229, 230, 254, 255, 274 and 275 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nelson (USP 5,939,695) in view of Knowles (USP 6,321,991).

The teachings of Nelson have been discussed above. Nelson discloses all of the features of the claimed invention with the exception of specifically disclosing the scanned code is a Universal Resource Locator (URL).

Knowles discloses a web-based television system and method for enabling a viewer (user) to access and display HTML-encoded documents located on the world wide web (WWW) by reading barcode symbols printed in a WWW site guide using a bar-code driven remote control device. This system and method allows a user to eliminate the process of manually pressing a sequence of keys on a keyboard or remote control device, corresponding to the characters of the URL being selected (col. 2, lines 3-7). The system and method further enables the user to save time for searching the desired URLs and ensure accurate surfing by scanning a code printed on various types of print media and broadcast material. It is obvious that one of a plurality of HTML-encoded documents include a site where the user needs to pay for the services like a pay-per-view type of service as well as local (free) channel information and a site where the user (surfer) can bid for a desired services or goods.

Thus, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated web-based television system and method for enabling a viewer (user) to access and display HTML-encoded documents located on the world wide web (WWW) by reading barcode symbols printed in a WWW site guide using a bar-code driven remote control device, as taught by Knowles for the purpose of simplifying a tedious and time consuming selection and viewing of a web-based TV program or series.

15. Claims 140, 144, 147, 148, 153, 293, 297 and 306 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cameron et al. (USP 6,202,062) in view of Nelson (USP 5,939,695).

Art Unit: 2876

Re claims 140, 144, 147, 148, 153, 293, 297 and 306, the teachings of Cameron et al. been discussed above. Cameron discloses all of the features of the claimed invention with the exception of specifically further disclosing the steps of presenting the acquired information to a user at the docking station via an output device at the docking station.

Nelson discloses a portable barcode system for recognizing the data for finding a price of a product, or other associated information from a scanned code. The system further includes a docking station (75) to allow a customer to choose the personal communication system (any PCS 3 can be used to scan a code) and dock the system for presentation of some types of information (col. 3, lines 28-38). The docking station gives the users more portability and another access to more detail output while separately track the transaction record for each PCS. It is also shown in Fig. 4 that the system is wired by hardware interfaces and the teachings of wireless link in particular radio frequency network also disclosed as one of many available choices of wireless communication protocols.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated the wired docking station, as taught by Nelson for the purpose of allowing the user more choices with receiving the output of the read code. The system can also be more precisely keep track of each transaction performed by each PCS.

16. Claims 143, 145, 147, 296, 298 and 299 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cameron et al. (USP 6,202,062) as modified by Nelson (USP 5,939,695) as applied to rejected claims stated above, and further in view of Ruppert et al. (USP 5,640,02).

The teachings of Cameron in view of Nelson have been discussed above. Cameron in view of Nelson discloses all of the features of the claimed invention with the exception of specifically disclosing a particular type of a wireless path and practical application of a portable personal scanner (Fig. 1).

Ruppert et al. disclose another type of wireless communication links used in data communication. Some information on infrared and radio wireless data transmission is publicly available through the IEEE 802.11 Wireless Networking Work Group. Furthermore, he teaches that the particular data communication interface and port are not critical to the invention, and selection of what type port to use depends upon the desired mode of operation for the device (col. 9, lines 50-55). He further discloses steps of building and modifying a shopping list using a scanner reading coded information on a product or good with the capability of alerting a price of a product (col. 7, lines 41-50).

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated any one of available data communication protocols and a personal scanner using the protocols to generate and modify a list as taught by Ruppert et al. into the teachings of Cameron in view of Nelson for the purpose of allowing design flexibility and maximizing the efficiency of acquiring information process since it is an obvious matter of design choice well within the art and providing more options and assistance to the user when shopping.

17. Claims 149 and 302 rejected under 35 U.S.C. 103(a) as being unpatentable over Cameron et al. (USP 6,202,062) as modified by Nelson (USP 5,939,695) as applied to rejected claims stated above, and further in view of Allport. (USP 6,097,441).

The teachings of Cameron et al. in view of Nelson have been discussed above. Cameron in view of Nelson discloses all of the features of the claimed invention with the exception of specifically disclosing a particular type of a wired path.

Allport discloses a wired communication link using Firewire 1394 protocol wired communication between a hand-held remote control and a base station (col. 19, lines 12-15, claim 35). A Firewire is one of many available wired data communication protocol which may be selected by network designer in accordance with specifications and cost of building a network.

Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to have incorporated any one of available wired data communication protocols as taught by Allport into the teachings of Cameron in view of Nelson for the purpose of allowing design flexibility and maximizing the efficiency of acquiring information process since it is an obvious matter of design choice well within the art.

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Koenck et al. (USP 5,468,948) discloses a hand-held data terminal and communicator for data gathering, processing by scanning a machine readable code.

Yomogida et al. (USP 6,405,926) discloses a stand with a communication capability formed with a communication pit in its top for receiving a pen type scanner. The stand functions like a docking station.

Art Unit: 2876

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven S. Paik whose telephone number is 703-308-6190. The examiner can normally be reached on Mon - Fri (5:30am-2:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 703-305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-6893 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0530.

Steven Paik

Steven S. Paik
Examiner
Art Unit 2876

ssp
November 17, 2002



MICHAEL G. LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800